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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/522,790	01/31/2005	Stephane Arcaro	2937-127	1745
6449 7590 01/23/2009 ROTHWELL, FIGG, ERNST & MANBECK, P.C. 1425 K STREET, N.W. SUITE 800 WASHINGTON, DC 20005				
EXAMINER TECKLU, ISAAC TUKU				
ART UNIT 2192		PAPER NUMBER		
NOTIFICATION DATE 01/23/2009		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTO-PAT-Email@rfem.com

Office Action Summary

Application No.

10/522,790

Applicant(s)

ARCARO ET AL.

Examiner

ISAAC T. TECKLU

Art Unit

2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE-08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 11-28 have been examined.
2. Examiner would like to indicate that the U.S. Serial Number 11/026,053 provided on Response to Non-Final Action/Amendments to the Claims (top right on pages 2-14) has a typographic error. The U.S. Serial Number should be corrected to 10/522,790.

Response to Arguments

2. Applicant's arguments with respect to claims 1-28 have been considered but are moot in view of the new ground(s) of rejection. See Brassard, new art made of record below.

Specification

3. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. The specification is devoid of terms such as "computer readable medium" as recited in claims 11-28. The specification is inconsistent with terms recited in claims 11-28. The specification should be written in "full, clear, concise, and exact terms". Appropriate correction is required. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 11-28 are rejected under 35 U.S.C 102(e) as being anticipated by Brassard et al. US 6,742,175 B1 (hereinafter “Brassard”).

As per Claim 11 (Currently amended), Brassard teaches a software, encoded on a computer readable medium, for generation of a computer code of at least one part of a computer application (see at least e.g. FIG. 3, 60 and related text), in which the software generates the said computer code from a description of said at least one part of the computer application by distributing said description between several code generators according to modifiable distribution rules (see at least e.g. FIG. 3, Model declaration 51, General instruction 56, Generator option for a specific language associated with components development 57, Model Declaration Engine 45, Generation Instruction Engine 47, Recursion binder 48 and see at least e.g. FIG. 12a-b and related text and col.3:25-35 “... sub-classing of the existing components and extending its functionality ...” and col.33:55-67), each code generator translating the part of said description that it is provided with, in order to provide at least one part of the said computer code

in a respective language (see at least e.g. FIG. 3, Generated source code for specific language associated with components development 60).

As per Claim 12, Brassard teaches splitting up said description in object classes (see at least e.g. FIG. 3, 49 and FIG. 5b, 86); the software distributing said object classes between the code generators according to said distribution rules (see at least col.12:57-67 "... file containing the model declarations and file containing the set of generation instruction ... generation instructions can be created..."), each code generator translating the object classes that it is provided with, into said corresponding part of the said computer code (see at least e.g. FIG. 3, Generated source code for specific language associated with components development 60).

Claim 13, Brassard teaches splitting up said description in dependencies between said object classes, and in the case of a dependency between two object classes each translated by a different code generator (see at least e.g. FIG. 12a-b and related text), the software makes said dependency be handled by two adapters that each translate it into a computer code for interfacing (see at least e.g. FIG. 3, Generation Instruction Engine 47, Recursion binder 48) the computer codes produced by said code generators for said two object classes (see at least col.33:60-67 "... for each class contained ... classes that are dependent on ...").

As per Claim 14, Brassard teaches which each of the two adapters produce said respective interfacing computer code for a respective object class among said two object classes

(see at least e.g. FIG. 12a-b and related text and col.3:25-35 "... sub-classing of the existing components and extending its functionality ..." and col.33:55-67).

As per Claim 15, Brassard teaches each of the two adapters inserts the respective interfacing computer code into the computer code produced by one of said code generators for said object class for which the adapter has produced said interfacing computer code (see at least e.g. FIG. 13e and related text).

As per Claim 16, Brassard teaches two adapters having to handle the dependency are chosen by the software following assignment rules associating (see at least e.g. FIG. 3, 55 and related text), for the orientation of the dependency of said two object classes, an adapter corresponding to each of the code generators translating said two object classes, the said assignment rules being modifiable (see at least e.g. FIG. 12a-b and related text and col.33:55-67).

As per claim 17, this is similar limitation substantially paralleling the limitation in claim 16, thus, this limitation have been addressed as set forth above.

As per claim 18, this is similar limitation substantially paralleling the limitation in claim 16, thus, this limitation have been addressed as set forth above.

As per claim 19, Brassard discloses generating said computer code from said description made in a language organized in object classes (see at least e.g. FIG. 5d, step 112-114 and related text), in which said language enables to define first classes giving access to technical or functional services to be provided by a hardware and software computer platform receiving the computer application (see at least e.g. FIG. 3, 60 and related text), said services being not definable by said language, and the other classes of said language cannot have access to any one of said services except through said first classes (see at least e.g. FIG. 5d, steps 118-122 and related text).

As per claim 20, Brassard discloses the software according to the claim 19, distributing said description between the code generators according to distribution rules associating at least some of said first classes or of said other classes of said language with at least one of said code generators (see at least e.g. FIG. 3, Model declaration 51, General instruction 56, Generator option for a specific language associated with components development 57, Model Declaration Engine 45, Generation Instruction Engine 47, Recursion binder 48).

As per claim 21, Brassard discloses the software according to claim 20, splitting up said description in object classes (see at least e.g. FIG. 3, 49 and FIG. 5b, 86), the software distributing said object classes between the code generators according to said distribution rules (see at least col.12:57-67 "... file containing the model declarations and file containing the set of generation instruction ... generation instructions can be created..."), each code generator translating the objects classes that it is provided with, into said corresponding part of said

computer code and wherein the software splits up said description into first classes or into other classes of said language (see at least e.g. FIG. 3, Generated source code for specific language associated with components development 60).

As per claim 22, Brassard discloses the software according to the claim 17, generating said computer code from said description made in a language organized in object classes (see at least e.g. FIG. 5d, step 112-114 and related text), in which said language enables to define first classes giving access to technical or functional services to be provided by a hardware and software computer platform receiving the computer application, said services being not definable by said language (see at least e.g. FIG. 3, 60 and related text), and the other classes of said language cannot have access to any one of said services except through said first classes and wherein the software splits up said description in dependencies between said object classes from dependencies between said first classes or other classes of said language (see at least e.g. FIG. 5d, steps 118-122 and related text).

As per claim 23, Brassard discloses the software according to the claim 17, generating said computer code from said description made in a language organized in object classes (see at least e.g. FIG. 5d, step 112-114 and related text), in which said language enables to define first classes giving access to technical or functional services to be provided by a hardware and software computer platform receiving the computer application, said services being not definable by said language, and the other classes of said language cannot have access to any one of said services except through said first classes (see at least e.g. FIG. 3, 60 and related text), wherein

the software distributes said description between the code generators according to distribution rules associating at least some of said first classes or of said other classes of said language with at least one of said code generators, and wherein the software splits up said description in dependencies between said object classes from dependencies between said first classes or other classes of said language (see at least e.g. FIG. 5d, steps 118-122 and related text).

As per claim 24, Brassard discloses the software according to the claim 17, generating said computer code from said description made in a language organized in object classes (see at least e.g. FIG. 5d, step 112-114 and related text), in which said language enables to define first classes giving access to technical or functional services to be provided by a hardware and software computer platform receiving the computer application, said services being not definable by said language, and the other classes of said language cannot have access to any one of said services except through said first classes, wherein the software splits up said description into first classes or into other classes of said language (see at least e.g. FIG. 3, 60 and related text), wherein the software further splits up said description in dependencies between said object classes from dependencies between said first classes or other classes of said language, and wherein the software distributes said description between the code generators according to distribution rules associating at least some of said first classes or of said other classes of said language with at least one of said code generators (see at least e.g. FIG. 5d, steps 118-122 and related text).

As per claim 25 (Currently amended), Brassard discloses a software description language, encoded on a computer readable medium, organized in classes enabling to define first classes giving access to technical and functional services to be provided by a hardware and software computer platform receiving the computer application, in which: the said services cannot be defined by said language (see at least e.g. FIG. 5d, step 112-114 and related text), and the other classes cannot have access to any one of these technical or functional services except through said first classes (see at least e.g. FIG. 5d, steps 118-122 and related text).

As per claim 26, Brassard discloses the software description language according to claim 25 of the type of an object-oriented language for computer application modeling (see at least e.g. FIG. 4, Modeling Declaration in Modeling Tool 65 and related text).

As per claim 27 (Currently amended), Brassard discloses a software, encoded on a computer readable medium, (see at least col.2:1-15 "... computer readable medium..."), enabling to graphically or textually build a computer application model and to provide a description of the model in a software description language organized in classes enabling to define first classes giving access to technical and functional services to be provided by a hardware and software computer platform receiving the computer application (col.3:15-35 "... interact textually or graphically with visual modeling tool or integrated development tool...", in which:

the said services cannot be defined by said language (see at least e.g. FIG. 3, 50, 55 and related text), and

the other classes cannot have access to any one of these technical or functional services except through said first classes (see at least e.g. FIG. 3, 49, 52 and related text).

As per claim 28, Brassard discloses the software according to claim 27, enabling to graphically or textually build a model of computer application human-machine interface (see at least e.g. FIG. 3, 50, 55 and related text).

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ISAAC T. TECKLU whose telephone number is (571) 272-7957. The examiner can normally be reached on M-TH 9:300A - 8:00P.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Isaac T Tecklu/
Examiner, Art Unit 2192

/Tuan Q. Dam/
Supervisory Patent Examiner, Art Unit 2192